IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.1140 OF 2004

The State of Maharashtra ..Appellant

V/s.

Ambo Babu Bhoir ..Respondent

Mrs.G.P.Mulekar APP for Appellant/State.

Coram : R.S.Mohite,J

Date :10th January, 2006.

PC

1. This is an appeal filed by the State impugning a judgment and order passed by the IInd Adhoc Additional Sessions Judge, Thane on 12.2.2004 acquitting the accused for offences punishable under sections 3(2) of the Atrocities Act r/w 323, 504 & 506 of IPC. On perusal of the impugned judgment it is clear that the same is passed upon cogent and acceptable reasons. Complainant Vanita was the Sarpanch of the Gram panchayat. No confidence motion had been preferred against her. The accused persons are the persons in the opposite group. Complainant Vanita had already filed 5 earlier complaints against the accused persons under the Atrocities Act. The trial Court has observed that there is no independent witness to the words said to

have been utered by the accused and all the witnesses are from her community. That the Complainant could not give the day and date of the incident. She was a person who had initiated proceedings against the very same accused under the Atrocities Act. In my view, not a fit case to interfere. Hence leave is refused and consequently, appeal stands dismissed.

(R.S.Mohite,J)